

**REMARKS**

Reconsideration and allowance of the subject matter are respectfully requested. Claims 1-15 are all pending in the application. Applicant respectfully submits that the pending claims define patentable subject matter.

**I. Rejection Under 35 U.S.C. § 112**

Claim 13 is rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. By this Amendment, Applicant has amended claim 13 to improve clarity. Accordingly, the Examiner is requested to remove the § 112, second paragraph rejection.

**II. Prior Art Rejections**

Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Rimhagen et al. (U.S. 6,594,245; hereinafter "Rimhagen"). Applicant respectfully submits that the claimed invention would have not been anticipated by or rendered obvious in view of Rimhagen.

Independent claim 1 recites in part:

a management unit which determines the allocation of resources for calls from each terminal to said connection station, wherein at least some of said terminals include a plurality of incoming connections providing cells or packets used to effect said calls to said connection station, the allocation of resources is determined cell by cell or packet by packet in each connection, said management unit includes means for allocating communication resources to each terminal according to the total number of cells or packets waiting in each terminal and a weighting coefficient allocated to each terminal, the allocation of resources by said management unit is independent of the number of

connections of each terminal, and each terminal includes means for allocating resources to each connection according to the overall resources allocated to said terminal by said management unit and a weighting coefficient allocated to each connection of said terminal.

The Examiner alleges that Rimhagen discloses a telecommunication system having all of the features recited in claim 1. The Examiner relies on the cited portions (Fig. 3A, col. 5, lines 41-57; col. 6, lines 27-44) of Rimhagen, for example, col. 5, lines 54-56 which states: “the resources required to service the high data rate information flow are distributed over three cells...” However, there is no portion of Rimhagen that teaches or suggests “the allocation of resources is determined cell by cell or packet by packet in each connection...the allocation of resources by said management unit is independent of the number of connections of each terminal...and a weighting coefficient allocated to each connection of said terminal” as required by claim 1 (emphasis added). Rather, Rimhagen merely discloses determining a base station with free resources based on a myriad of criteria.<sup>1</sup> Further, Rimhagen never mentions how the allocation of resources is determined, or a weighting coefficient of any kind.

Accordingly, Applicant respectfully submits that independent claim 1, as well as dependent claims 2-6, should be allowable because the cited references, do not teach or suggest all the features of the claims.

Independent claims 7 and 13 have analogous features to independent claim 1. In particular, these analogous features include: “means for allocating the resources to each

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<sup>1</sup> See col. 7, lines 41-48 of Rimhagen.

connection according to the overall resources that are allocated to said terminal and a weighting coefficient allocated to each connection of said terminal” and “means for allocating the communication resources for said terminals...a weighting coefficient allocated to each terminal.” Accordingly, Applicant respectfully submits that claims 7 and 13 are patentable over the cited references for at least the same reasons mentioned for claim 1, and respectfully requests the Examiner to reconsider and withdraw the rejection.

Regarding dependent claims 8-12, 14 and 15, claims 8-12, 14 and 15 depend on claims 7 and 13, respectively. Accordingly, Applicant submits that such claims are patentable at least by virtue of their dependency on claims 7 and 13.


### **III. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Application No. 09/808,025

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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